

**RESPONSE TO FINAL OFFICE ACTION and NOTICE OF APPEAL**  
Serial No. 10/716,096  
Page 1 of 9

**IN THE UNITED STATES**  
**PATENT AND TRADEMARK OFFICE**

**PATENT APPLICATION**

Applicant: **Danek, et al.**

Case: **761C4/CPI/L/B/PJS**

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Serial No.: **10/716,096**

Filed: **November 18, 2003**

**MAY 04 2005**

Examiner: **Lund, Jeffrie Robert**

Group Art Unit: **1763**

Confirmation No.: **4854**

Title: **CHAMBER FOR CONSTRUCTING A FILM ON A SEMICONDUCTOR  
WAFER**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

S I R:

**RESPONSE TO FINAL OFFICE ACTION DATED MARCH 4, 2005**  
**AND NOTICE OF APPEAL**

Please enter this response to the Final Office Action dated March 4, 2005, having a shortened statutory period for response set to expire on June 4, 2005. This response includes a combined amendment under 37 C.F.R. §1.116 and a Notice of Appeal. The Applicants believe that a \$500.00 appeal fee and a \$130.00 terminal disclaimer fee are due in connection with this response. The Commissioner is hereby authorized to charge counsel's Deposit Account No. 20-0782 for these fees and any other fees, including extension of time fees, required to make this response timely and acceptable to the Office.

05/05/2005 SSESHE1 00000031 200782 10716096

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PTO/SB/17 (12-04v2)

Approved for use through 07/31/2005. OMB 0651-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). <h2 style="text-align: center;">FEE TRANSMITTAL for FY 2005</h2>		<b>Complete if Known</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	10716,088
		Filing Date	November 18, 2003
		First Named Inventor	Danek, et al.
		Examiner Name	Jeffrie Robert Lund
		Art Unit	1783
<b>TOTAL AMOUNT OF PAYMENT (\$)</b> 630.00		Attorney Docket No.	781C4CPI/LB/PJS

**METHOD OF PAYMENT (check all that apply)**

- ☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify) : \_\_\_\_\_  
☒ Deposit Account Deposit Account Number: 20-0782 Deposit Account Name: Moser, Patterson & Sheridan, LLP  
 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)  
☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee  
☒ Charge any additional fee(s) or underpayments of fee(s) ☒ Credit any overpayments

Under 37 CFR 1.16 and 1.17  
 WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
<b>Total Claims</b>		
<b>Extra Claims</b>		
<b>Fee (\$)</b>		
<b>Fee Paid (\$)</b>		
-20 or HP= _____ x _____ = _____		
HP = highest number of total claims paid for, if greater than 20.		
<b>Indep. Claims</b>		
<b>Extra Claims</b>		
<b>Fee (\$)</b>		
<b>Fee Paid (\$)</b>		
-3 or HP= _____ x _____ = _____		
HP = highest number of independent claims paid for, if greater than 3.		

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(a).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____	_____	_____

- 100 = \_\_\_\_\_ / 50 = \_\_\_\_\_ (round up to a whole number) x \_\_\_\_\_

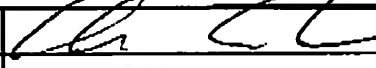
**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge) : Notice of Appeal \$500.00; Terminal Disclaimer \$130.00

Fees Paid (\$)

**\$630****SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	25,436	Telephone	(732) 530-8404
Name (Print/Type)	Keith Taboada, Esq.	Date	May 4, 2005		

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## TELEFAX COVER SHEET

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THIS MESSAGE HAS 13 PAGES INCLUDING THIS SHEETTO: Commissioner for PatentsFAX NO.: 703-872-9306FROM: Keith Taboada, Esq.DATE: May 4, 2005MATTER: Serial No. 10/716,096 Filed: November 18, 2003DOCKET NO.: 761C4/CPI/L/B/PJSAPPLICANT: Danek, et al.

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

☐ Petition  
☐ Disclosure Statement & PTO-1449  
☐ Priority Document  
☐ Drawings (     sheets) informal  
☐ Amendment  
☒ Response to Final Office Action and  
Notice of Appeal (9 pages)

☐ Transmittal Letter (2 copies)  
☒ Fee Transmittal (2 copies)  
☒ Deposit Account Transaction  
☒ Facsimile Transmission Certificate  
dated May 4, 2005  
☒ Terminal Disclaimer (1 page)

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. 61.8

I hereby certify that this correspondence is being transmitted by facsimile to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 4, 2005, Facsimile No. (703) 872-9306.

Allyson M. DeVesty  
Name of person signing this certificate

Allyson M. DeVesty  
Signature and date

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